

ACTION

OLL 84-3812

Office of Legislative Liaison
Routing Slip

TO:	ACTION	INFO
1. D/OLL		X
3. DD/OLL		X
3. Admin Officer		
4. Liaison		X
5. Legislation	X	
6.		
7.		
8.		
9.		
10.		

SUSPENSE 16Oct84
Date

Action Officer:	
Remd	

10Oct84
Name/Date

STAT

EXECUTIVE SECRETARIAT
ROUTING SLIP

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
4	D/ICS				
5	DDI		X		
6	DDA				
7	DDO		X		
8	DDS&T				
9	Chm/NIC				
10	GC		X		
11	IG				
12	Compt		X		
13	D/Pers				
14	D/OLL	X			
15	D/PAO				
16	SA/IA				
17	AO/DCI				
18	C/IPD/OIS				
19			X		
20			X		
21			X		
22					

SUSPENSE

Date

Remarks

 Executive Secretary

9 Oct 84

Date

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PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

WASHINGTON, D.C. 20515

October 4, 1984

Chrono

ROOM H-405, U.S. CAPITOL
(202) 225-4121

Executive Registry

84 - 9366

LEGISLATIVE LIAISON

84-3813

Honorable William J. Casey
Director of Central Intelligence
Washington, D. C. 20505

Dear Mr. Casey:

As you know, section 501 of the National Security Act of 1947 requires the Director of Central Intelligence and other heads of intelligence agencies to keep the two intelligence committees "fully and currently informed" of all intelligence activities, including any "significant anticipated intelligence activity." The latter includes, among other things, presidential covert action findings and activities conducted thereunder.

Recent events make clear that some operations or activities undertaken pursuant to an already approved and reported finding may themselves rise to the importance of a significant anticipated intelligence activity which must be reported to the Committee.

The purpose of this letter is to clarify what information the Committee expects to receive in fulfillment of the prior reporting requirement and to establish the Committee's minimum expectation of the kinds of activities conducted pursuant to a previously issued finding which are considered to be significant anticipated intelligence activities. This letter does not address significant anticipated collection or counterintelligence activities, nor is it intended to define the universe of covert action activities which constitute significant anticipated intelligence activities. The Committee intends that the following be given the effect of procedures within the meaning of Section 501 of the Act.

Set out below are examples of activities which require prior notice and explanation to the Committee:

- (1) Any activity which has been approved by the President, the National Security Council, the National Security Planning Group, or any other person or group that provides direction to the CIA or from whom the CIA seeks approval;
- (2) The transfer to a foreign country, or foreign faction, of United States military equipment, except de minimis, inconsequential transfers;
- (3) The use of any means, specifically including but not limited to the employment of force, that departs from the scope, described to the Committee, of the program implementing a Presidential Finding;

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(4) Material changes in the objectives of a covert action program or of the means for achieving the objectives of the program, including, but not limited to:

- The use of United States military personnel or equipment or other non-CIA governmental personnel or equipment in covert action activities, whether such personnel or equipment are acquired or used by bailment, assignment, detail, temporary or permanent transfer of operational or tasking control, or by other means;

- The use of CIA staff or contract employees or unilaterally-controlled United States persons or foreign nationals in the support or conduct of paramilitary operations;

- Any operation or activity intended to affect the processes by which any nation selects its form of government or the leadership of its government, including elections;

- Any activities occurring inside the United States which are a part of, or are in support of, a covert action program, other than routine logistical or administrative support activities; and

(5) Any involvement by foreign governments in the conduct or support of covert action activities.

For all significant covert action activities, the DCI will provide the Committee with:

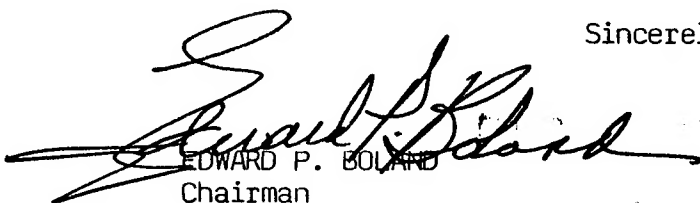
- the text of any presidential finding (unless previously provided), and

- the contents of any scope paper and any other descriptive material accompanying or related to a presidential finding, and any changes thereto.

When the DCI informs the Committee of any matter described above, he shall provide with respect to that matter an evaluation of all important elements relating to the matter, including, but not limited to: (a) operational risks, (b) foreign relations risks, (c) expected duration, (d) cost and personnel required, (e) sources of funding, and (f) legal issues relating to the matter, including possible repercussions under treaties, international agreements or international law and any issues arising under the Constitution or statutes of the United States or other applicable law.

The assistance of your staff in drafting the substantive aspects of these procedures is greatly appreciated. In light of this cooperation and your own assurances, the Committee looks forward to the Agency's affirmative effort at improved future reporting of covert action information to the Committee.

Sincerely yours,



EDWARD P. BOLAND
Chairman



J. KENNETH ROBINSON
Ranking Minority Member